

Minutes
Town of Oshkosh

Town Board Meeting – June 8, 2009 - 7:00 p.m. – Town Hall

PRESENT: Chairman Gerald Frey, Supervisor Carol Kaufmann, Supervisor Jim Erdman, Treasurer Maribeth Gabert, Clerk Jeannette Merten and audience of 11.

Chairman Frey called meeting to order at 7:00 p.m.

MOTION BY KAUFMANN, ERDMAN SECONDED, TO APPROVE MINUTES DATED MAY 22, 2009 WITH A CORRECTION PAGE 2339, SECOND PARAGRAPH TO READ: "The board learned that parts of the Hwy 41 project is two years ahead of schedule now expected to completed by 2012 instead of 2014". ALL ELSE REMAINS AS PRESENTED. ROLL CALL. KAUFMANN, YES; ERDMAN, YES; FREY, YES. MOTION CARRIED.

Public Participation:

Bob Fales with the James Petersons & Sons introduced himself to report that their company was the low bidder for the Snell Road overpass. A conditional use permit has been submitted to Winnebago County, which will be coming before the town board in the near future.

Phillip Grundy, Fire Chief, announced that Jason Selwitschka is willing to do the paperwork, calling, and collections of accident billings. The VFD worked it out that the person doing the billing and collections would receive 10% of the total bill paid for their time. Selwitschka said he preferred receiving a MISC1099 form at the end of the year. The board had no objection to their plan. Grundy also accepted donation from Erdman in the amount of \$1000 towards the new fire truck and Maribeth Gabert in the amount of \$1350 for an AED unit.

Planning and Zoning:

Building Inspector report.

Dave Frank, Town Building Inspector, made two attempts to contact Velie on Indian Pt. Rd. with no luck. Frank went over reasons for changes to the ordinance regarding the Uniform Dwelling Code.

Winnebago Co. P&Z Committee zoning change request.

The zoning change request has to do with windfarm regulations. Frey reported that at the County chairman meeting no one there had an objection.

Town of Oshkosh Planning and Zoning Commission will meet on the subject on June 22, 2009 at the town hall beginning at 6pm.

Variance request of riders of WI LLC.

Town of Oshkosh Planning and Zoning Commission will meet on the subject on June 22, 2009 at the town hall beginning at 6pm.

Certified Survey Map of William Monteith.

MOTION MADE BY ERDMAN, KAUFMANN SECONDED TO APPROVE THE CERTIFIED SURVEY MAP OF WILLIAM MONTEITH REGARDING #018-0587. ROLL CALL. FREY, YES; KAUFMANN, YES; ERDMAN, YES. MOTION CARRIED.

Applicant Hoffman Construction; Conditional Use Permit, Rusch/Gabert property.

The information was duplicate information already received.

Applicant Hoffman Construction; Conditional Use Permit, Grundy property.

The information was duplicate information already received.

Applicant Hoffman Construction; Conditional Use Permit, Hickory Oaks property.

The information was duplicate information already received.

Unfinished Business:

None.

New Business:

Dave Tellock; proposed recycling pickup changes.

Tellock called Merten and said due to conflict schedule he will attend the June 22, 2009 meeting.

Pricing on purchase of new fire truck.

Several fire department members were at the meeting to listen and comment on the topic.

Phil Grundy, Fire Chief, reported that he has a final number on a new truck. The email he received stated \$247,305.00 and that number includes a prepayment of discount of \$11,043.00. Phil also provided a copy of an email from Ryan Krings, Fire Chief of Winneconne/Poygan Fire Department, regarding competitive bidding with a quote from the January 208 issue of the Municipality reading:

Bid law only applies to public construction contracts. Thus, for example, a municipality does not need to advertise for bids on a contract for the purchase or sale of real estate. Municipalities need not competitively bid ambulance, refuse pickup, recycling or similar services. Also, as mentioned above, the purchase of equipment need not be competitively bid. Thus, the purchase of fire trucks, dump trucks, backhoes, police cars and other items of equipment need not be competitively bid. Case Law: Aqua-Tech Inc. v. Como Lake Protection and Rehabilitation District, 71 Wis.2d 541, 239 N.W.2d 25, 28 (1976).

The truck includes a 319-gallon water tank, larger than our current capability. It has larger and more cabinets and have a blueprint as to where everything will be placed. It will carry five members to a site and will be fully functional for any type of call. It can be used as a block mechanism while responders are on the road. It has a light tower as another additional safety feature. There will be a desk built inside for filling out required federal reports while at the site. The air system will be built right into the seats.

They plan to purchase a cascade fill station for the back of the truck separately. They also plan to purchase a fire pump direct and some other miscellaneous items like turtle tile matting for the floor and a bed liner. Pierce will allow them to purchase these items separately. These items will be paid out of their fundraising money. They are not planning on selling the trailer. They feel they still have a use for that.

The research they have done regarding selling the rescue truck, they believe the truck could be sold for between \$105,000 to \$98,000 and planning to ask \$115,000 and the money from the sale would go back into the town coffers. They plan to promote the sale of the truck immediately.

MOTION MADE BY KAUFMANN, ERDMAN SECONDED, TO PURCHASE A NEW FIRE/RESCUE TRUCK FOR NO MORE THAN \$250,000 FROM PIERCE MANUFACTURING. ROLL CALL. KAUFMANN, YES; ERDMAN, YES; FREY, YES. MOTION CARRIED.

KAUFMANN MADE THE MOTION, ERDMAN SECONDED, TO USE THE VFD CD FUNDS FOR THE PURCHASE OF A WATER PUMP AND OTHER ITEMS NEEDED FOR THE NEW TRUCK. ROLL CALL. FREY, YES; KAUFMANN, YES; ERDMAN, YES. MOTION CARRIED.

Approve Cell Site Agreement.

Jim Wieman said that our prior agreement is about to expire. He presented a five-year renewal agreement. Kaufmann pointed out that agreement read 2009 in the payment terms and should be 2010.

Wieman will have the agreement changed, emailed to the clerk, ready for approval at the June 22, 2009 meeting.

Approve Operator License Applicants of Helen Paulick, Clarence Gruse, Lori Gruse, and Ricky Beattie.

MOTION MADE BY ERDMAN, FREY SECONDED, TO APPROVE OPERATOR LICENSE APPLICANTS OF HELEN PAULIC, CLARENCE GRUSE SR, LORI GRUSE, AND RICKY BEATTIE. ROLL CALL. ERDMAN, YES; FREY, YES; KAUFMANN, NO. FOR THE RECORD, KAUFMANN OPPOSED APPROVAL DUE TO CONVICTED OF DRINK DRIVING OF ONE APPLICANT. MOTION CARRIED.

Approve amendments to Uniform Dwelling Ordinance.

Board would like more time to think over the amendments. Place topic on the next meeting agenda.

Re-Appoint Fred Guenther as Edgewood-Shangri-La Sanitary District Commissioner.

MOTION MADE BY KAUFMANN, FREY SECONDED, TO RE-APPOINT FRED GUENTHER AS EDGEWOOD SHANGRI-LA SANITARY DISTRICT COMMISSIONER TERM PRE-DATE FROM MARCH 10, 2009 EXPIRING MARCH 10, 2015. ROLL CALL. KAUFMANN, YES; FREY, YES; ERDMAN, YES. MOTION CARRIED.

Forthcoming Events of public interest:

Chairman Frey said that Dave Petak with the City of Oshkosh would be willing to attend the next meeting to discuss a Snell Road improvement project. The project cost is expected to be \$800,000 to mill and put on an overlay. The design on the project is estimated to be \$60,000. Petak is asking if the town would be interested in chipping in on the project. Whether the town does or doesn't, they plan to go ahead with the project with funds supported by stimulus money. Frey mentioned that it would cost the town \$20,000 just to do the corner, which they looked into this past spring. They do need to get it done by December in order for the stimulus money to cover the project. Frey will invite to the next meeting.

Frey was contacted about relocating 4000' of pipe line with regard to the Hwy 41 project. He is questioning the location on the south shore and what we have to do with it. He plans to call this person back to find out more information.

Erdman reported on the County re-write committee meeting he attended. Erdman thinks it is going real well setting up a matrix, which will give towns the option to opt out of country zoning.

Jim Noffke past away last week, a past town chairman. A plant was sent to the funeral home on behalf of the town.

Jim Erdman gave a report on talks revolving around the recent NR115 changes and the proposed hearing date.

A budget report was provided to board members.

Correspondence:

1. Fox Valley Tech College; Budget Hearing June 17, 2009, 5 p.m.
2. Winnebago Co Health Dept; Tobacco law.
3. WI Dept of Revenue; Manufacturing real estate report & personal property.
4. NR115 brochure information on hearing.
5. Aurora Health Foundation; thank you on contribution.

Correspondence provide to board at meeting:

1. Winnebago County; Granted variance request of Rusch/Gabert.

**MOTION TO PAY BILLS AS PRESENTED BY KAUFMANN, ERDMAN
SECONDED. MOTION CARRIED.**

**MOTION MADE BY KAUFMANN, SECONDED BY ERDMAN, TO
ADJOURN. MOTION CARRIED.**

Meeting adjourned at 9:10 p.m.

X

Jeannette Merten
Town of Oshkosh Clerk